



DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-862]

Foundry Coke Products from the People's Republic of China: Continuation of the Antidumping Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of
Commerce.

SUMMARY: As a result of the determinations by the U.S. Department of Commerce
(Commerce) and the U.S. International Trade Commission (ITC) that revocation of the
antidumping duty (AD) order on foundry coke products (foundry coke) from the People's
Republic of China (China) would likely lead to the continuation or recurrence of dumping and
material injury to an industry in the United States, Commerce is publishing a notice of
continuation of the AD order.

DATES: Applicable October 25, 2023.

FOR FURTHER INFORMATION CONTACT: Kabir Archuletta, AD/CVD Operations,
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Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-
2593.

SUPPLEMENTARY INFORMATION:

Background

On September 17, 2001, Commerce published in the *Federal Register* the AD order on
foundry coke from China.¹ On April 3, 2023, the ITC instituted,² and Commerce initiated,³ the

¹ See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Foundry Coke Products from the People's Republic of China*, 66 FR 48025 (September 17, 2001) (*Order*).

² See *Foundry Coke Products from China; Institution of a Five-Year Review*, 88 FR 19674 (April 3, 2023).

³ See *Initiation of Five-Year (Sunset) Reviews*, 88 FR 19616 (April 3, 2023).

fourth sunset review of the *Order*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). As a result of its review, Commerce determined that revocation of the *Order* would likely lead to continuation or recurrence of dumping and, therefore, notified the ITC of the magnitude of the margins likely to prevail should the *Order* be revoked.⁴

On October 25, 2023, the ITC published its determination, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the *Order* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁵

Scope of the *Order*

The product covered under the *Order* is coke larger than 100 mm (4 inches) in maximum diameter and at least 50 percent of which is retained on a 100 mm (4 inch) sieve, of a kind used in foundries. The foundry coke products subject to the *Order* were classifiable under subheading 2704.00.00.10 (as of January 1, 2000) and are currently classifiable under subheading 2704.00.00.11 (as of July 1, 2000) of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and Customs purposes, our written description of the scope of the *Order* is dispositive.

Continuation of the *Order*

As a result of the determinations by Commerce and the ITC that revocation of the *Order* would likely lead to a continuation or a recurrence of dumping, and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), Commerce hereby orders the continuation of the *Order*. U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

⁴ See *Foundry Coke Products from the People's Republic of China: Final Results of the Expedited Fourth Sunset Review of the Antidumping Duty Order*, 88 FR 52114 (August 7, 2023), and accompanying Issues and Decision Memorandum.

⁵ See *Foundry Coke From China; Determination*, 88 FR 73377 (October 25, 2023).

The effective date of the continuation of the *Order* is October 25, 2023.⁶ Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next five-year review of the *Order* not later than 30 days prior to the fifth anniversary of the date of the last determination by the ITC.

Administrative Protective Order (APO)

This notice also serves as the only reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

This five-year sunset review and this notice are in accordance with section 751(c) and 751(d)(2) of the Act and published in accordance with section 777(i) of the Act, and 19 CFR 351.218(f)(4).

Dated: October 25, 2023.

Lisa W. Wang,
Assistant Secretary for Enforcement and Compliance.

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⁶ *Id.*